

# BOARD OF ZONING APPEALS

## CITY OF MILWAUKEE

REGULAR MEETING – December 6, 2001  
City Hall, Common Council Committee Room 301-B

### *MINUTES*

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-68*)

**Members:** Henry P. Szymanski (*voting on items 1-59*)  
Scott R. Winkler (*voting on items 49-57, 61-68*)  
Catherine M. Doyle (*voting on items 1-54, 58-68*)  
Roy B. Nabors (*voting on items 41-68*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 1-40, 60-68*)  
Donald Jackson (*voting on items 1-48, 55-60*)

START TIME: 2:10 p.m.

End Time: 5:00 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	23334 Dimensional Variance	InSite Real Estate Development, LLC Prospective Buyer  Request to create a parking and loading area in the required setback area -- proposed area will be landscaped and screened with a decorative masonry wall.	6101 N. 64th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	23689 Dimensional Variance	Samuel Morse Middle School Property Owner  Request to construct a 24 sq. ft. ground sign on the premises.	4601 N. 84th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
3	23691 Dimensional Variance	Engleburg Elementary School Property Owner  Request to construct a 17.5 sq. ft. ground sign on the premises.	5100 N. 91st St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	23824 Special Use	Continental Worldwide, Inc. Jay Walia; Property Owner  Request to construct a gas station and car wash on the premises.	2306 N. Humboldt Av. A/K/A 1112 E. North Ave. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	23628 Dimensional Variance	Darrel Otis Property Owner  Request to construct a pool deck in the rear of the premises.	2577 N. 54th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	23804 Appeal of an Order	Hussein P. Govani Property Owner  Request to appeal the order of the Department of Neighborhood Services.	2437 W. National Av. 8th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
7	23910 Use Variance	Home Run Beer, Lessee  Request to occupy the premises as a liquor store.	6201-c N. Teutonia Av. A/K/A 6201-05 N. Teutonia Ave. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	23690 Dimensional Variance	Carleton Elementary School Property Owner  Request to construct a 17.5 sq. ft. ground sign on the premises.	4116 W. Silver Spring Dr. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	23699 Dimensional Variance	Hawthorne Elementary School Property Owner  Request to construct a 32 sq. ft. ground sign on the premises.	6945 N. 41st St. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	23693 Dimensional Variance	Fifty Third Street School Property Owner  Request to construct a 32 sq. ft. ground sign on the premises.	3618 N. 53rd St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
11	23698 Dimensional Variance	Hamilton High School Property Owner  Request to construct a 24 sq. ft. sign on the premises.	6215 W. Warnimont Av. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	23697 Dimensional Variance	Walker Middle School Property Owner  Request to construct a 32 sq. ft. ground sign on the premises.	1712 S. 32nd St. 16th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	23908 Extension of Time	The Word of Life Ministries Property Owner  Request to comply with the conditions of case No. 22758.	4161-71 N. Green Bay Av. A/K/A 4165 N. Green Bay Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
14	23831 Special Use	Sandstone Petroleum, Inc. Jay Walia; Prospective Buyer  Request to continue occupying the premises as a motor vehicle pumping station with a convenience store.	6001 W. Burleigh St. A/K/A 3071 N. 60th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	23915 Special Use	Milwaukee-Prospect LLC Property Owner  Request to occupy the premises for self storage, offices and truck rental.	2124 N. Prospect Av. A/K/A 2122 N Prospect Ave. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of DCD and will be rescheduled at the next available hearing.	
16	23890 Special Use	Wee Care Day Care Nate Jefferson; Lessee  Request to continue occupying a portion of the premises as a day care center for 78 children, ages 6 wks. - 12 yrs., from 6:00 a.m. - 6:30 p.m.	1200 W. Wells St. A/K/A 823 N. 12th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares.</li> <li>5. That the petitioner provide and maintain site improvements including landscaping, in accordance with plans as approved by the Department of City Development.</li> <li>6. That signage not exceed 50 square feet.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
17	23905 Dimensional Variance	Milwaukee Institute of Art and Design Property Owner  Request to convert the 2nd and 3rd floors of the existing building from one to two residential units.	143 N. Broadway . 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
18	23919 Use Variance	David L. Armstrong, Property Owner  Request to use the side yard on the south side of the property for off street parking.	1339 N. Astor St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That the petitioner obtain a driveway permit from the Development Center prior to commencing any work.  5. That the petitioner install a landscape hedge to separate the driveway from the south abutting driveway.  6. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	23880 Dimensional Variance	Kids In Need, Inc. Khadijah Anwar; Lessee  Request to occupy the premises as a group foster home within 2,500 feet of another CLA.	206-08 E. Locust St. 6th Dist.
	Action:	10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	
20	23900 Special Use	Jimmy & Iola McClendon Property Owner  Request to occupy the premises as a counseling clinic and office.	2477-79 N. 6th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage is limited to a maximum of 17.5 sq. ft.  5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
21	23912 Special Use	Maxcine Gambrell Angels Watching Over You Child Care and Learning; Property Owner  Request to occupy the premises as a day care center for 80 children, ages 3 mo. to 12 yrs, from 7 a.m. to 11 p.m.  Action: Adjourned from a prior hearing  Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	2958 N. 2nd St. 6th Dist.
22	23922 Special Use	Mary Williams, Lessee  Request to continue occupying the premises as a secondhand furniture and clothes resale shop.  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions regarding case No. 21002 are complied with.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	5224-32 W. Center St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	23885 Special Use	Michelle G. Lukacs Atlas Preparatory Academy; Lessee  Request to occupy a portion of the premises as a day care center for 20 children, ages 2-12 yrs., from 6 a.m. to 6 p.m.  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner obtains an occupancy certificate for a day care center and complies with all State commercial code requirements for day cares.  5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	2911 S. 32nd St. 8th Dist.
24	23888 Special Use	Yolanda Cain and Juanita Beeman Creative Minds Learning Academy; Lessee  Request to occupy the premises as a day care center for 40 children, ages 4 wks. - 12 yrs., from 6 a.m. to 12 a.m.  Action: Adjourned  Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	5833 W. Silver Spring Dr. A/K/A 5803 W. Silver Spring Dr. 9th Dist.

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25	23906 Special Use	Meng Yang, Lessee  Request to occupy the premises as a Type 'B' restaurant.  Action: Granted 3 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	7330 N. 76th St. 9th Dist.
26	23901 Special Use	Amato Family Limited Partnership, Property Owner  Request to continue occupying the premises as a motor vehicle sales facility with the addition of a new free standing building on site.  Action: Granted  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That site illumination must be controlled to prevent glare onto adjacent streets and properties.  5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 15, 2015.	8301 N. 76th St. A/K/A 8025-55 N. 76th St. 9th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	23923 Special Use	Phyllis A. Weakley Precious Cargo Child Development Center Day Care; Property Owner  Request to occupy the premises as a day care for 26 children ages 6 weeks to 12 years, for 24 hours per day, Monday through Friday.	2906-08 N. 12th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate for day care centers and complies with all State commercial code requirements for day cares.</p> <p>5. That a loading zone is obtained in front of the site on N. 12th Street.</p> <p>6. That all previous conditions of case No. 20625 are complied with.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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28	23886 Special Use	Divine Shepherd Lutheran Church Property Owner  Request to occupy a portion of the premises as a day care center for 39 children, ages 3-4 yrs., from 6:30 a.m. to 7:00 p.m.	9741 W. Beloit Rd. A/K/A 9700 W. Morgan Ave. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate for a day care center and complies with all State commercial code requirements for day cares.</li> <li>5. That signage for the day care center is limited to one 3 foot by 5 foot ground sign.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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29	23929 Special Use	Amoco Oil Company c/o Michael Best & Friedrich LLP; Property Owner  Request continue occupying the premises as a pumping station w/convenience store, car wash, and oil change bay, open 24 hours per day.	5912 W. Oklahoma Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there is no outdoor storage or display of products or merchandise.</p> <p>5. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan.</p> <p>6. That the petitioner take all necessary measures to control noise, litter, and loitering on the premises, including, but not limited to, hiring private personnel as necessary.</p> <p>7. That all previous conditions of case No. 20618 are complied with.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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30	23881 Special Use	Melvin L. Torres, Lessee  Request to occupy the premises as a car wash and detailing facility.	521 W. Mineral St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage is limited to the sign band on the front of the building.</p> <p>5. That all washing, drying and detailing work is conducted inside of the building.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	23884 Use Variance	Augustine Gonzalez, Lessee  Request to continue occupying the premises as a grocery store.	1239 S. 12th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage is to be located within the storefront windows and/or be located in the sign band above the storefront windows, or the existing sign band on the south side of the building. All other signage must be removed.</p> <p>5. That all conditions regarding case No. 19713 are complied with.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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32	23916 Dimensional Variance	Frank Monreal d/b/a Casa Monreal; Property Owner  Request to reduce number of on-site parking stalls in connection with expansion of restaurant.	828 S. 1st St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
33	23932 Special Use	Peter M. Donohue, Lessee  Request to occupy a portion of the 1st floor of the premises as an office (law office).	610 S. 5th St. A/K/A 606-610 S. 5th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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34	23920 Dimensional Variance	Kim M. White, Property Owner  Request to construct a porch addition to the existing house.	3550 S. 3rd St. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

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35	23899 Special Use	Frank Schneider F-S Truck and Trailer Repair; Property Owner	6131 N. 84th St. A/K/A 8408 W. Kaul 15th Dist.
		Request to continue occupying the premises as a truck/trailer repair and parking facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of case No. 23281 are complied with.</p> <p>5. That a revised landscape and screening plan for the Kaul Ave. and 84th St. frontages is submitted to and approved by the Department of City Development before the issuance of any permits and within thirty (30) days of the date hereof.</p> <p>6. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	23911 Use Variance	<p>Alan's Auto Sales of Brown Deer, Inc. Alan and Cynthia Flowers; Property Owner</p> <p>Request to continue occupying the premises as a motor vehicle sales, parts and salvage facility with a 54 x 103 ft. addition to the east of the existing building.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan.</li> <li>6. That a landscaping and screening plan meeting the intent of s. 295-75, is submitted to and approved by the Dept. of City Development - Planning Administration prior to the issuance of any building permits. A copy of the approved plan must be submitted by the applicant to the Board of Zoning Appeals office.</li> <li>7. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	<p>5290 N. 124th St. A/K/A 5300 N. 124th St. 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	23931 Special Use	Fourth Property, LLC Ronald San Felippo; Property Owner  Request to occupy a portion of the premises as a medical clinic (kidney dialysis facility).  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	10130 W. Appleton Av. 15th Dist.
38	23918 Dimensional Variance	Clear Channel Outdoor Daniel Pomeroy; Other  Request to increase the height of the proposed off-premise sign by 5 ft.  Action: Granted  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of time commencing with the date hereof and expiring on January 28, 2011.	4550 W. Wisconsin Av. 16th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	23798 Special Use	Firststar Bank, Lessee  Request to construct a drive-through automatic teller facility.	3709 W. Villard Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 16, 2008.</p>	
40	23933 Dimensional Variance	Debra Hunter Saf Haus; Property Owner  Request to occupy the premises as a Group Foster Home for 8 children.	4914 N. 25th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	23772 Special Use	Rose Patterson Babes in Joyland; Lessee  Request to occupy the premises as a day care center for 20 children ages infant to 2 1/2 yrs. open 6am to 6 pm Monday through Friday.  Action: Granted 2 yrs.  Motion: Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares.</li> <li>5. That the security grates are removed from the windows.</li> <li>6. That the State of Wisconsin approves the proposed on-site play area.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	7412-14 W. Villard Av. 2nd Dist.
42	23891 Special Use	St. Charles Youth & Family Services Prospective Buyer  Request to occupy the premises as a social service facility.  Action: Adjourned  Motion: This item was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	4757 N. 76th St. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	23853 Use Variance	Jonathan & Donna Moberg d/b/a Jonathan Moberg Piano Sales & Service; Property Owner	3477 N. Weil St. 3rd Dist.
		Request to continue occupying the premises for the outdoor storage of wood and building materials.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	23652 Special Use	The Salvation Army Major Ronald G. Larsen; Lessee  Request to continue occupying the premises as a second sales facility.	2170 N. Prospect Av. A/K/A 2009 E. Kenilworth Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take appropriate measures to insure that no donated items are left on the exterior of the site.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 31, 2002.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	23889 Special Use	Milwaukee City Center, LLC c/o The Marcus Corporation; Other  Request to construct a 8-level parking structure without retail space at the street level.	518 W. Michigan St. A/K/A 509-25 W. Wisconsin Ave. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That, no later than December 31, 2006, the applicant convert the southwest corner of the proposed structure to retail use in strict accordance with the plan approved by the Board in Case No. 23095.</li> <li>5. That the applicant submit final addendum plans to the Development Center within 60 days for permit modification. The plans shall include appropriate construction details that allow the temporary motor vehicle parking area to be converted to future retail/commercial use.</li> <li>6. That the conditions of BOZA Case No. 23095 are complied with.</li> <li>7. That the petitioner makes no structural changes that would preclude future development of retail use on the first floor of the parking structure.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
46	23883 Special Use	Amjad Tufail Judy's Red hots Restaurant;  Request to occupy the premises as a Type 'B' restaurant with drive-through.	848 N. 27th St. 4th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
47	23909 Dimensional Variance	Angela G. Mc Millian, Prospective Buyer  Request to occupy the premises as a Community Living Arrangement (CLA) for 100 clients.	7800 W. Fond du Lac Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a landscaping and screening plan for the parking area along West Fond Du Lac Avenue meeting the intent of s. 295-75 is submitted and approved by the Department of City Development within thirty (30) days of the date hereof.</p> <p>5. That signage is limited to a maximum of 40 square feet.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	23875 Use Variance	The Salvation Army, Property Owner  Request to continue occupying the premises as a emergency shelter and social service facility for 120 clients.	1730 N. 7th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions regarding case No. 20639. are complied with.</p> <p>5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	23927 Special Use	Rev. Prentiss Robbins, Lessee  Request to occupy the premises as a day care center for 80 children, ages infant - 12 yrs., from 6 a.m. to 11 p.m.	2044 N. Martin L King Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares.</li> <li>5. That a driveway permit be obtained for the proposed curb cut on N. Martin Luther King Drive.</li> <li>6. That the petitioner work with Department of City Development Long Range Planning staff on facade, signage and other design related issues. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Department of City Development staff review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Department of City Development Planning Administration staff approved plan, or no permits will be issued.</li> <li>7. That the outdoor play area be relocated to the southwest portion of the parcel along the Dr. Martin Luther King Jr. Dr. frontage.</li> <li>8. That a landscaping and screening plan, meeting the intent of s.295-75, is submitted to and approved by the Department of City Development within thirty (30) days of the date hereof.</li> <li>9. That site illumination plans are submitted and that site illumination is controlled to prevent glare onto adjacent streets and residences.</li> <li>10. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</li> <li>11. That the play area is not utilized after 8:00 p.m.</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	23902 Dimensional Variance	St. Marcus Ev. Lutheran Church Property Owner  Request to construct a school/gymnasium addition to the existing church.	2215 N. Palmer St. 6th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That a revised landscape and screening plan meeting the intent of s. 295-75 is submitted to and approved by the Department of City Development Planning Administration section within thirty (30) days and prior to the issuance of any permits. The plan should include assurances that shrubs will be planted and maintained along the base of the building on the Palmer St frontage.</p> <p>5. That this Variance is granted to run with the land.</p>	
51	23882 Dimensional Variance	John Hightower The Hightower Shelter for Children; Property Owner Request to occupy the premises as a shelter care facility for 20 children.	3518 N. Port Washington Av. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	23848 Special Use	Amoco Oil Company c/o Deborah A. Hall; Property Owner	3114 N. Sherman Bl. 7th Dist.
		Request to continue occupying the premises as a motor vehicle pumping station with a convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of case No. 19752 are complied with.</p> <p>5. That the petitioner shall maintain landscaping and screening in accordance with plans as approved by the Department of City Development.</p> <p>6. That the petitioner take all necessary measures to control litter, loitering, and loud noise on the site, including, but not limited to hiring private personnel as necessary.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	23847 Dimensional Variance	Prince of Peace Catholic Church Mary Pickl; Other  Request to construct a school on the premises.	1010 S. 25th St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That the proposed alley vacation and dedication is approved by the Common Council.</p> <p>5. That if problems arise with respect to school and church traffic in the alley, access to the parking lot from the alley may be restricted.</p> <p>6. That the petitioner work with Department of City Development Planning Administration staff on landscape plans and other design related issues. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Department of City Development staff review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Department of City Development Planning Administration staff approved plan, or no permits will be issued.</p> <p>7. That the gates on South 25th St. do not swing into the public right of way.</p> <p>8. That these Variances are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	23897 Special Use	Everybody's Special Inc., Child Care Center Sheila Wesby; Lessee  Request to occupy the premises as a day care center for 19 children, ages 6 months - 8 years, open 24 hrs. a day and 7 days a week.	3018 W. Lincoln Av. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares.</li> <li>5. That any future signage is limited to the sign band above the front windows.</li> <li>6. That the outdoor play area is not utilized after 8:00 P.M.</li> <li>7. That the outdoor fenced play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	23917 Special Use	Albertson's Inc. Robert A. Stack; Lessee	6015 W. Forest Home Av. 11th Dist.
		Request to raze the existing strip mall and construct a new retail grocery store (including late hour use).	
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a landscaping and screening plan, meeting the intent of s.295-75, is submitted to and approved by the Department of City Development within thirty (30) days of the date hereof.</p> <p>5. That a site illumination plan is submitted to and approved by the Department of City Development within thirty (30) days of the date hereof.</p> <p>6. That the Local Business district boundary line is extended thirty (30) ft. to the West to coincide with the property line.</p> <p>7. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	23914 Dimensional Variance	St. Gregory the Great Congregation Property Owner  Request to construct a 48 sq. ft. sign on the premises.	3160 S. 63rd St. 11th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the sign is placed along the West Oklahoma Ave. frontage at a point east of South 61st St.</p> <p>5. That a new site plan is submitted to and approved by the Department of City Development within thirty (30) days of the date hereof.</p> <p>6. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	23921 Special Use	The Sigma Group Dave Scherzer/Ken Kaszubowski; Prospective Buyer	1326 W. Canal St. 12th Dist.
		Request to construct an office building on the premises.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the easement area is revised to make the westerly portion of the trail wholly within the easement area.</p> <p>5. That the bicycle trail easement is revised to provide an access from West Canal Street to the trail along the easterly edge of the site.</p> <p>6. That revised site plans and landscaping and screening plans meeting the intent of s. 295-75 are submitted to the Board of Zoning Appeals within thirty (30) days and are approved by the Long Range Planning Section of the Department of City Development prior to the issuance of any permits.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	23877 Special Use	Priya Corp. Prospective Buyer	1233 W. Layton Av. 13th Dist.
		Request to occupy the premises as a motor vehicle pumping station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage or display of products or merchandise.</li> <li>5. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan.</li> <li>6. That lighting fixtures for the canopy must be recessed or otherwise shielded to prevent glare onto adjacent streets.</li> <li>7. That area of the main sign for the proposed ground sign is limited to a maximum of 50 square feet.</li> <li>8. That the dumpster enclosure is screened by a masonry wall of materials matching those of the proposed building.</li> <li>9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>10. That revised site illumination plans, signage plans and screening plans for the trash enclosure must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to issuance of any permits.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	23803 Dimensional Variance	Lutheran Social Services of Wis. & Upper Michigan Patricia Matteo; Prospective Buyer  Request to occupy the premises as a Group Home for 8 children.	5038-40 N. 107th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	23913 Dimensional Variance	Aaron Schoen, Property Owner  Request to occupy the premises as an Adult Family Home (AFH).	10453 W. Fairmount Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	23863 Special Use	Dawes Rigging & Crane Rental, Inc. Lessee  Request to continue occupying the premises as a contractor's yard with outdoor storage.  Action: Granted 2 yrs.  Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions regarding case No. 22477 are complied with.</li> <li>5. That no vehicles are parked on west Main St.</li> <li>6. That no vehicles enter or exit the site between 8 p.m. and 6 a.m.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	7025 W. Main St. 16th Dist.
62	23895 Use Variance	Edgerton Contractors, Inc. Other  Request to occupy the premises as an outdoor storage facility.  Action: Dismissed  Motion: Roy Nabors moved to dismiss the appeal. Seconded by Scott Winkler.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	651 S. 35th St. 8th Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
63	23896 Use Variance	Edgerton Contractors, Inc. Other  Request to occupy the premises as an outdoor storage facility.	3601 W. Canal St. 8th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
64	23838 Dimensional Variance	Carlos and Sheila Ramos Shecar Development Services; Prospective Buyer  Request to occupy the premises as a group home for 8 female clients ages 11-17.	1240 W. Garfield Av. 17th Dist.
	Action:	Denied	
	Motion:	Roy Nabors moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
65	23774 Dimensional Variance	James Cape and Sons Co. Randy Madsen; Lessee  Request to occupy the rear of the premises as a crushing and recycling facility for a temporary period of 9 months.	4250 N. 35th St. A/K/A 3470 W. Hopkins St. 1st Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	23865 Dimensional Variance	Atonement Evangelical Lutheran Church Property Owner  Request to construct a sign on the premises.	4536 W. Sherman Bl. A/K/A 4206 W. Ruby Av & 4230 W. Ruby 1st Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	23779 Use Variance	Repairers of the Breach, Inc. Ms. Mac Canon Brown, Exec. Dir.; Property Owner  Request to continue occupying the premises as a social service facility (daytime resource center).	1335 W. Vliet St. A/K/A 1329-35 W. Vliet St. 17th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
68	23830 Dimensional Variance	Bell Therapy/ Belwood Ltd. Leonard F. Dziubla; Property Owner  Request to continue occupying the premises as a Community Based Residential Facility (CBRF) for 46 clients.	839 N. 27th St. A/K/A 837-53 N. 27th St. 4th Dist.
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with plans as approved by the Department of City Development.</p> <p>5. That this Special Use and this Variance are granted for a period of one (1) year based upon the testimony of the applicant to take all necessary measures to locate an alternative site during that time span. The granting of the appeal commences with the date hereof.</p>	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Donald Jackson moved to approve the minutes of the November 8, 2001 meeting. Seconded by Board member Georgia Cameron. Unanimously approved.

The Board set the next meeting for January 24, 2002.

Board member Scott Winkler moved to adjourn the meeting at 5:00 p.m. Seconded by Board member Roy Nabors. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board